

REMARKS

Claims 1, 2 and 4-6 are pending in this application. By this Amendment, the drawings, specification and claims 1 and 6 are amended.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1, 2 and 4-6 under 35 U.S.C. §103(a) over Great Britain Patent No. 1,248,891 (the 891 Patent) in view of Miyata et al. (U.S. Patent No. 5,208,044). This rejection is respectfully traversed.

The 891 Patent, alone or in combination with Miyata, does not disclose or suggest a vulcanizing mold for pneumatic tires including, inter alia, a spring that urges the lower segments radially outwards, as recited in claim 1, and as similarly recited in claim 6.

Instead, the 891 Patent, for example, discloses a groove 17 disposed on the underside of a lower segment 10 that engages with a T-shaped element 18 secured to a base 5 such that the segment 10 is guided in a radial direction. See page 3, lines 103-112 of the 891 Patent. Although the segment 10 of the 891 Patent is guided in a radial direction, the segment 10 is not urged radially outwards by any type of biasing mechanism.

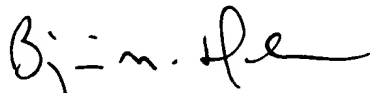
For at least these reasons, it is respectfully submitted that claims 1 and 6 are patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Applicants respectfully request that the rejection under 35 U.S.C. 103 be withdrawn.

II. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2 and 4-6 are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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